



# Foggy Bottom News

Published for and by the citizens of Foggy Bottom

SEPTEMBER 1985

Volume 30, No. 1

## Freeway Efforts Enter New Stage

By Jon Nowick

Our neighborhood appears to be entering a new, perhaps decisive phase in its long effort to improve the Whitehurst Freeway. The city in recent months has provided an outline of a possible freeway solution. It has strongly reaffirmed its decision, reported by the *Washington Post* last fall, against radical freeway changes, but it has left the door open to moderate improvements. Neighborhood groups have already begun to respond.

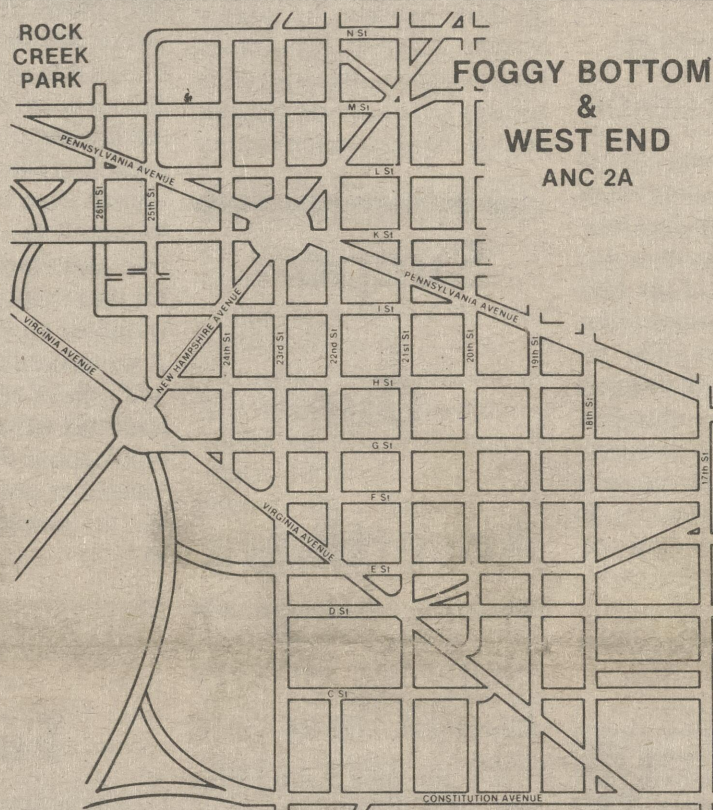
The city's stand against major or very costly freeway changes was indicated in its final environmental impact statement on freeway improvements, released in mid-summer. The two-volume document, issued under the Mayor's signature, recommended renovating the existing freeway but doing little more for our end than tearing down two unused access ramps. It specifically rejected adding new ramps into our neighborhood to divert traffic. The report was the result of several years of study and hearings, in which the Foggy Bottom neighborhood took an active part.

While the report offered few solutions to our neighborhood's problems, the Mayor held out promises in a meeting with neighborhood representatives in May. The Mayor supported the stand of the environmental impact statement against radical changes, yet he expressed a willingness to allocate several million dollars toward moderate improvements on our end. He said the city's public works department would be ready to hear our ideas and implied our suggestions would be favorably considered if they were within his budgetary parameters.

The ANC and FBA responded by forming a joint freeway improvements committee in July. It consists of several FBA officers, ANC commissioners, and interested citizens, including Commissioners Maria Tyler and Geoffrey Stamm, and FBA President Robert C. Brewster and Vice President Holsey G. Handyside. The committee has since met and taken steps to open a dialogue with the city. (See committee roster elsewhere in this issue.)

I submitted to the committee a list of potential freeway improvements as food for thought, which I will reproduce below. Some of them have been proposed in various forms by other citizens, including Commissioner Tyler, FBA

Continued on page 5



## Cooper Houses Saved from Demolition; Court Challenge Expected

By Steve Levy

In July, 1985, the Mayor's Agent for D.C. Law 2-144 (the historic preservation law) denied the request of Mr. Richard Donnelly, a real estate investor and developer, to demolish the Emily Cooper houses at 2521-23 K Street, N.W. (Donnelly had earlier demolished without warning the old townhouse and carriage house at the corner of 26th & L Streets.)

The decision caps the series of hearings in which the D.C. Preservation League, Advisory Neighborhood Commission 2A and the Foggy Bottom Association succeeded in having the Cooper Houses, the oldest structures in Foggy Bottom, designated as historic landmarks.

Mr. Donnelly earlier had stated his intent to appeal any adverse decision to the courts; he has thus far lost each stage of the administrative appeal process. The ANC has repeatedly offered to work with him in designing an adaptive reuse of the buildings which would let them remain as one of the pleasing aspects of our neighborhood and still preserve his financial interests.

Following are excerpts from the decision, for which we thank the Mayor's agent, Artis M. Hampshire.

On October 24, 1984, and in accordance with Section 3(F) of D.C. Law 2-144, the Historic Preservation Review Board (hereinafter the "Review Board") designated the Cooper Houses as an historic landmark. The Review Board found the Cooper Houses unusual examples of mid-nineteenth century vernacular Washington architecture and illustrative of regional trends in American architecture. The building at 2521 K Street, N.W. is a two-story, painted brick residential building constructed in 1843. The vernacular form uses such details as Flemish bond brick work, tall parapet, molded window lintels, and a classically stylized doorway. Directly to the west, 2523 K Street, N.W. dates to 1868 and is a simple example of urban vernacular architecture, featuring highly styled details applied to vernacular forms. The flat-faced building is two bays wide with its entry door placed on the western bay. Wooden detailing in the Italiante style marks the door and cornice, while a simple three-room vernacular plan forms the building. The two buildings are the oldest buildings extant in the Foggy Bottom area.

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## Meeting

### Foggy Bottom Association

8:00 P.M.  
SEPTEMBER 30

St. Paul's Parish House  
2430 K Street, N.W.

Speaker

DAVID A. CLARKE

Chairman of the D.C. City Council



## Foggy Doings

It sure is interesting to live in an area where your neighbors are in the daily newspaper! For instance, **Les Janka**, formerly an FBA president, was one of the subjects of an article in the *Wall Street Journal* recently. Les' firm represents three foreign countries, Egypt, Morocco and Jordan, and some of the issues and activities involved in lobbying for foreign countries were described. The whole Janka family, including Michele and little Noelle, spent some time recently in that part of the world. Too bad Noelle is too young to really remember it.

Another world traveler who once lived in FB has published a book. He is **Nathaniel Davis** who now resides with his wife, Elizabeth, in California. His book is "The Last Two Years of Salvador Allende," published by Cornell University Press. As U.S. Ambassador, Davis witnessed this period and, according to the press release, "his firsthand observations, enriched with new evidence brought to light during the last decade, provide a vivid picture of the controversy that continues to provoke world-wide debate."

This fall the Catholic University area will be gaining and we will be losing a woman ac-

tive in the neighborhood over the past several years. She is **Dian Overbey** of Colonial Arms who is purchasing a garden apartment condo in north-east Washington. Dian has been involved in the neighborhood through her work in the Colonial Arms tenants' group, as a member of the 26th and K Committee, and in other ways. She has our wishes for good luck and good fortune.

## Metro End to M12 Bus Tabled

Earlier this month Metro held hearings on a number of proposed changes in bus service. Among the proposals was the discontinuance of the M12 which runs from Kennedy Center to Georgetown. The rationale given was light ridership and duplication by other Metrobus routes. The proposal, however, was tabled, partially due to inadequate notices on the buses themselves, and protests mounted by some of the ridership. It is not known if the proposal will be heard at a later date.

## Beautification Notes

By Mary E. Healy

The National Park Service and the Saudi Arabian Embassy came through again this summer — with many hundreds of Tulip Bulbs donated to St. Mary's Court, St. Stephen Martyr Catholic Church, St. Paul's Episcopal Church, the House of Ruth and several D.C. Residential Community Facilities. When you see and enjoy all those beautiful tulips blooming next Spring please remember to think "thank you NPS and SAE." Both will be thanked publicly by Mayor Marion Barry at his Annual Neighborhood Beautification Awards Ceremony on November 1 at the Convention Center.

## Support Our Advertisers

## Note for Sharp-Eyed Librarians

It is our hope that a correction made in this issue of the *FBNews* will not confuse too many people. Over a fairly long period of time several unintentional errors were made in the numbering system of this paper. The volume and issue numbers were not too far off, but have now been corrected to start Volume 30 with this September, 1985 issue, and continue the same volume until the June or June/July issue. Only research back over the official issues unearthed the errors. Volume 31 will start with September, 1986.

## Soggy Bottom Babies

## FAMILY PICNIC

October 19  
at the  
playground

All Children &  
Parents Invited

## Hearing Held on ABC License

A hearing was held September 4 before the Alcohol Beverage Control Board on the application for a retail carry-out license for wine and beer for the West End Market at 2424 Pa. Ave. Testifying at the Hearing were Robert Alcorn and Mary Healy.

Community feelings are divided on this issue. St. Stephen Martyr Church, Columbia Hospital for Women and the Foggy Bottom Association, as well as Mary Healy, opposed the granting of the license at this time; they felt we needed time to be assured that the market would be a full-fledged market and not a liquor outlet. The Advisory Neighborhood Commission did not oppose the license — neither did they support it; however, they extracted from the owner of the West End Market some protective concessions of operation for the benefit of the community before passing their resolution. Alcorn presented pros and cons of residents who had discussed this matter with him. Non-opposers have generally taken a "Give them the license and let us wait and see" position.

The transcript of the hearing will be available within ten days, after which witnesses have a 20-day period to verify the record. After that time a decision will be made by the ABC Board.

## Monday Recorder Group

by Robert B. Johnson

The beginner recorder class started on September 16 and lasts about four months. The class will meet Monday nights at The United Church, 20th & G Streets, N.W.

Our beginners' class will be open to people who have no musical experience. Class dues will be only \$2 per month. Graduates of this class will be invited to continue as members of MRG — in a more advanced playing section.

*Foggy Bottom News* readers who want to find out more about our class are invited to call me at 863-0279 or Virginia Singer at 544-6022.

September 1985

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## Foggy Bottom News

The *Foggy Bottom News* is a publication of the Foggy Bottom Association. All editorial and other assistance is contributed on a volunteer basis by residents of the area.

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## THE GOVERNOR SHEPHERD: A REPLY TO EDWARD LENKIN

By Richard Striner

The human mind is capable of talking itself into convenient opinions indeed. It is my contention, as a leading preservation advocate in the controversy surrounding the Governor Shepherd apartment building, that Edward Lenkin — the developer whose wrecking crew reduced the building to ruins — has performed this feat in the essay he called "A Different Opinion on the Governor Shepherd" as published in the last issue of *Foggy Bottom News*. But Mr. Lenkin, you will not slip by in this matter as adroitly as all that. Whatever your reasons for demolishing the Governor Shepherd, your "opinion" defies credence.

It is Lenkin's contention that the building he demolished "meets neither the (D.C. Historic Preservation) Review Board's criteria for designation nor the National Register's criteria for listing." In his own review of the criteria, Lenkin's argument encompassed two points: (1) the Governor Shepherd was not a "pure" example of an architectural style (and thus was supposedly unworthy); and (2) despite its prominence in period literature — it was featured in *Architectural Forum*, in the Museum of Modern Art's *Guide to Modern Architecture, Northeast States* (1940), and in *Forms and Functions of 20th-Century Architecture* (Talbot Hamlin, ed.) — it was not, according to Lenkin, a "notable" work of its architect, Joseph Abel, whom Lenkin does admit to be an important architectural practitioner. The Governor Shepherd, Lenkin alleges, was an "unsuccessful" design by Abel, of merely "representative" value.

Lenkin — who is not a historian — justifies these contentions by citing testimony by certain individuals who, conveniently, were on his payroll

as hired "consultants" when the Governor Shepherd case went to a hearing. But he also cites a staff report to the Review Board reflecting a position similar to his own.

This staff report provides the only shred of credibility in Lenkin's stated position. We shall deal with this shred in a moment. But first, some preliminary arguments.

### Preservation Criteria are Flexible

The D.C. preservation ordinance criteria are highly flexible. They were drafted this way deliberately. They are full of judgmental adjectives like "significant" and "notable." Standards of significance are constantly in flux in scholarship, and rightly so. In historical scholarship especially, the lengthening perspectives of time provide a constantly-shifting interpretive basis for judging what is and is not "significant." Moreover, the local preservation criteria establish a generous basis for judgments of *associative* value. One criterion states, in part, that proposed landmarks can display historical value by simply being "associated with persons, groups, institutions or movements that contributed significantly" to the city's development. Another criterion, besides establishing historical value through the much-belabored standard of embodying "architectural styles," goes on to proclaim that buildings can display a *commensurate* historical value by reflecting "other architectural, aesthetic or engineering expressions significant to the appearance and development of the National Capital or the Nation." (Emphasis added) Clearly, these criteria were drafted by people who wanted to err on the side of generosity of spirit — of liberality — in conserving our heritage. And they were

also people who wanted the ordinance to stay in touch with the work of independent scholars whose interpretations are the cutting edge of historical research.

In this regard, my preservation colleagues in Foggy Bottom were careful to consult the *pre-eminent* scholars in validating our assessment of the Governor Shepherd's significance. The scholars we approached — Richard Longstreth (Preservation Chairman of the Society of Architectural Historians), James Goode (Curator of the Smithsonian Castle, and the foremost expert on apartment house evolution in Washington, D.C.), Frederick Gutheim (a pre-eminent figure in the field of urban planning in the nation's capital), Tony Wrenn (archivist of the American Institute of Architects) — assured us that the Governor Shepherd was indeed an important building, one that heralded modern design's arrival in the nation's capital. It occupied a vanguard position in the wave of design that helped to give the city the look and feel that it now has. A hybrid building, reflecting the personal style of its architect, it showed inspiration from the so-called "International Style" of radical modernism — but this identification, the scholars cautioned, was an approximation only. It was useful, but only to a point. Like many important buildings, the Governor Shepherd displayed a combination of design modes.

These judgments were rendered by scholars of pre-eminent stature, at the forefront of their profession. And they were rendered by scholars whose independence is unimpeachable.

Contrast this with the *paid* testimony that Lenkin put forward as evidence. It is all very well to employ architectural history as a private business. But those who do should bear a special philosophic burden when they testify *against* preservation. There are actually "consultants" in practice who will testify (for money) on behalf of developers who want to torpedo particular buildings on the grounds that the buildings are "second- or third-rate," and then proceed to do National Register nominations for buildings that are similarly less than masterworks on behalf of developers who want to get lucrative preservation tax advantages. And how does one retain credibility with such behavior?

Now consider the matter at hand. The Governor Shepherd, we were told, was neither a "pure" example of an architectural style nor aesthetically "successful." It was said to be not as "good" — or at least it

was no "better" — than many other buildings by Abel. What an edifying spectacle it is: aesthetic judgments, reflecting the most notoriously personal and shifting realms in the whole of human experience, delivered with ecclesiastical certitude, and from professional hired consultants! It is almost as though these particular consultants have forgotten the scorn that was once universally directed at buildings we revere today. Who would not rise to the defense of the Old Executive Office Building, which not very long ago was damned as an aesthetic "failure?"

### Back to the Staff Report

The question of the Governor Shepherd's "style" was at the heart of the staff report to the Preservation Review Board, to which I promised to return. One can say, at least, that the recommendations of the staff historian were hardly tainted with the vested interest that suffuses the pronouncements of Lenkin's hired "consultants." And so the proper response to the recommendations is sadness rather than anger. They display the sort of pedantry that art historian Bevis Hillier has branded as regressive, at a time when scholars "are abandoning the old art historians' game of chopping up art into rigid categories, and are trying instead to show how different manners relate to each other and blend together." Richard Longstreth has recently condemned the practices that evaluate architectural works "not so much for what they tell us about architecture, society or place, as for the degree to which they can be stuck into so many stylistic pigeonholes." Who cares if the Governor Shepherd was a "pure" example of the International Style? The *pre-eminent* figures in the field of architectural history did not care — for they pronounced the building significant.

But what if the Governor Shepherd, for all its unusual prominence in the period's literature, was not a supreme architectural masterwork after all? What if it was nothing more than a good representative example of Joseph Abel's work, along with others? There are those who would argue that if preservation is to have significance, it must encompass a great deal more than just supreme masterworks. Almost every historic district constitutes a valuable sort of collectivity, more important than the sum of its parts. And this same collectivity inheres in building trends that are geographically *diffused* through-

out a community — but which constitute a valuable part of a community's heritage. One by one, almost every other building designed by Joseph Abel could be subjected to the sort of trumped-up critiques inflicted on the Governor Shepherd by the hired "consultants." And one by one they would go — leaving the city dispossessed of an important architect's life-achievement.

"If buildings like the Governor Shepherd are eligible for landmark status, what building in Washington would not be eligible?" asked Lenkin. Perhaps it would be more enlightening to ask what kind of city we will have if developers continue to dismiss the civic impulse of continuity; if they continue to save a few selected architectural "examples" while engaging in destruction of entire square blocks; if they continue to feed the trendy upheavals that rob us of what the urbanologists refer to as cultural "context." There are some major cities in America where visual continuity is held to be a civic asset. There are signs of this in Washington, too. There is proof around the corner from the Governor Shepherd, at 515 22nd Street, N.W., where developers Greenbaum and Rose have handsomely restored a 1940 apartment building — originally called the Park Manor — for use as an office building. This is of course exactly what Edward Lenkin refused to do with the Governor Shepherd. And what was the rationale for re-use as opposed to destruction? Was the Park Manor a masterwork? Or where there other motivations at work?

From the civic standpoint, which is more pleasing, the vision of the Park Manor sparkling again — or the Governor Shepherd in ruins? Greenbaum and Rose showed a sensibility we know from experience whenever we happen to encounter it: true class. So let the contrast speak for itself.

This is not to say that Edward Lenkin has no credible position. The 11th-hour nature of the controversy made ill feelings predictable; and Lenkin might have faced constraints from his speculative partners in the venture, the Pan American Health Organization and (de facto) the State Department. But these particular points of contention — which I have no objection to pursuing in future exchanges — have nothing to do with the scholarly merits of the case, which Mr. Lenkin has chosen to dispute. And this is where his "opinion" on the Governor Shepherd is the palest rationalization. □

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## Hearing Held on Historic District

On Wednesday, September 11, the Historical Preservation Review Board held its hearing on the ANC and FBA application for designation of five Foggy Bottom squares as a historic district. The Board, however, did not reach a decision, and held the record open for an additional ten days. A decision may be announced at its meeting in November.

Witnesses at the hearing were David Maloney of the D.C. Preservation Office, Steve Levy, ANC2A Commissioner, Emily Eig of Traceries, Ellie Becker for FBA and as an individual home owner, and John Landgraf and Grace Watson, also as homeowners.

The application involves Squares 5, 16, 17, 28 and 29 (K Street on the north, 24th and New Hampshire on the east, H Street on the south and 26th on the west; and the 3 houses at 27th & Eye Streets). The staff report was very favorable, but recommended that Square 5 (27th & Eye) not be included, that most of the 26th Street and Queen Anne's Lane be excluded, and the deletion of the corners of 24th and 26th and K, where highrises are now being constructed.

The ANC and FBA asked that part of the recommended deletions be reinstated, and the Board is considering that request. There will be additional information in subsequent issues of the News.

## Kudos to "Our John"

By Mary E. Healy

Councilman John A. Wilson (Ward 2) was invited by the John F. Kennedy School of Government at Harvard to participate in its Fellowship Program. John will be teaching a course in Government during the Fall Semester. This is a particular honor for John and for the District of Columbia — a well deserved honor I might add. As we in Ward 2 have come to know over the past 10 years John lives and breathes City Government — 24 hours a day. We're proud for you, John.

## St. Mary's Court Elects Foggy Bottom Residents

St. Mary's Court Housing Development Corporation elected Carol T. Radin of Watergate East as President of the Board of Directors at its June meeting. Mrs. Radin has been a director for several years, and has previously served in various official capacities. Marcella Peterson of the Westbridge was elected Vice President.

The corporation operates St. Mary's Court at 725 24th Street, N.W., to provide housing and special services for senior citizens. For additional information on the corporation, contact the Resident Services Director at 223-5712.

Also in June, Foggy Bottom residents Marianne Freeman of 23rd Street and Geoffrey E. Stamm of Potomac Plaza were elected as new directors for three-year terms.

## Awards to Billy Teel

After the June edition of *The Foggy Bottom News* was published, we learned of honors bestowed upon one of our Foggy Bottom residents, William McIntosh Teel. Billy, as he is called by his friends, advertised in the May issue of the *News* for summer jobs so you may have seen him in the neighborhood during the vacation months.

Three years ago, Billy accompanied his family from Denver, Colorado, to Queen Anne's Lane, Washington, D.C. He registered at Stevens School, 21st and K Street N.W., and attended grades 4, 5 and 6. He graduated in June. This year he received the 1985 Most Valuable Player Award in Baseball at Mitchell Park. From Stevens School, he also received the PTA Award for Most Outstanding Student — a \$50.00 savings bond — as well as one of two awards given by the American Legion.

Billy was on the Student Council for three years and was the parliamentarian for 1984-85. For three years he was on the honor roll and for 1985 he was a member of the Beta Junior Club. From 1983 to 1985, he was also a member of the 4-H.

We join in congratulating Billy on the honors received. We wish him well in the years ahead.

## Needed: Gardeners — Without a Garden

For those of you who love to dig in the dirt and like to see lovely flowers and grass grow: here is your opportunity. St. Stephen Martyr Catholic Church at 25th & Pennsylvania has lost its gardener (a volunteer) who used to give the 25th Street garden such tender loving care. The lack of his touch is very noticeable. Father Sheehan would be delighted with the help of anyone who would like to help design the fall plantings (and, of course, maybe donate some) and actually plant them. The church garden has been enjoyed for many years by a great many residents and visitors; let's do what we can to help. Call Father Sheehan on 785-0983.

## CLASSIFIEDS

**NEIGHBORHOOD WALKING TOURS.** Kalorama, Dupont Circle, Embassy Row, Foggy Bottom, Adams-Morgan, Meridian Hill, others. History, architecture, people, current activities. (202) 387-8907.

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## Continued from page 1

Board member Beth Marcus, and former neighborhood freeway representatives Lucille Duprat, Jenny Brake, and Tom Miller. I put them together here for convenience and discussion.

The proposals call for reductions in noise, traffic congestion, dangers to pedestrians, and visual blight within the parameters outlined by the Mayor. They are not intended as an ideal or definitive solution and should be carefully analyzed before any neighborhood recommendation is given.

The neighborhood is now presented with a unique opportunity to improve its environment. The ANC and FBA deserve all the help neighborhood residents can muster, including the submission of other creative ideas. The latest phase of the freeway efforts offers a new chance for the neighborhood to show the kind of unity, determination, and common sense for which it has been renowned.

**Separate Traffic Light.** The merging of westbound traffic from the K Street access ramp onto the freeway at 25th Street now creates intolerable noise and hazards to both pedestrians and vehicles. The city should consider installing a separate traffic light on that access ramp, well back from where the current one now stands. This light should be timed to flash red when the main light on the freeway flashes green, and vice versa. When pedestrians cross, both lights of course should be red. By separating the access ramp traffic from the freeway traffic, we will be able to control the presently chaotic merging of vehicles. A side effect would be to cut down somewhat the number of vehicles entering the freeway from this ramp, since the wait would tend to discourage drivers from using it.

**Partially Covered Freeway.** The city should consider decking over the already depressed part of the freeway just

west of Washington Circle. A large cover would spare residents at 2400 and 2424 Pennsylvania Avenue, the St. James, and the Circle Arms the current noise levels. The deck possibly could be landscaped to disguise further what lies beneath it.

**Noise-Dampening Tiles.** The installation of aesthetically attractive noise-reducing tiles all along the freeway could help cut back noise. They are particularly needed where the freeway submerges to enter Washington Circle (with or without a partial decking over). They could also be placed along all curbs of the freeway in both directions.

**Pedestrian Crossing.** Several improvements could be made at the freeway crossing at 25th Street to improve safety and appearance. First, a clear stop line should be marked where freeway vehicles must halt for a

red light, and it should be well back from the crossing area; now, vehicles drive into the middle of the crossing. Second, two crossings across K Street should be made, one from either sidewalk of 25th Street, since pedestrians will cross from the eastern sidewalk even though warned not to do so. Third, the two crossings should be made in a material of different color and even material than the road itself. Non-skid brick might be attractive. Fourth, bright white lines should be marked on either side of these cross paths. Fifth, the timing of the light should be extended somewhat to allow for safer crossing. Sixth, a bright, flashing pedestrian crossing sign should be installed within the tunnel under Washington Circle. Finally, the crossing under 26th Street should be cleaned up and improved.

**Broad, Boulevard-like Sidewalks.** Few obstacles exist to

installing broad boulevard-like sidewalks along K Street all the way from 24th to 26th Streets. A broadening by about three feet can take place between 25th and 26th Streets without reducing the width of the two side roadways. The roadways can be shifted several feet toward the main freeway. This can be done by tearing down and narrowing the barriers now standing between these roadways and the freeway. The sidewalks now on this short stretch of median barrier are superfluous, since anyone seeking access to or from lower Georgetown can enter/exist the pedestrian walkway at 26th Street. A widening of the sidewalks can also be done between 24th and 25th Streets. The new sidewalk can be done in non-skid brick; in conjunction with bricking in the pedestrian walks across K Street at 25th Street, the effect would be visually to link both sides of K Street.

**Extended Barrier.** While reducing the width of the barriers now separating the freeway from the side roads, the one on the southern side of the freeway between 25th and 26th Streets should be lengthened all the way to the pedestrian crosswalk, in effect taking the place of the yellow poles that are now there. This would improve both pedestrian safety and the freeway's appearance.

**Landscaping.** A number of landscaping measures could be undertaken to soften the appearance of the freeway and cut noise. Shrubbery and trees could be planted all along the

center median barrier and along the two side barriers (between the freeway and side roads). Thick, sturdy, year-round, low shrubs could help dampen noise from car engines and exhaust pipes. Creative landscaping could also be employed between 24th and 25th Streets where ugly steel railings now top the cement barriers.

**New Street Lights.** The current street lights along the freeway are intended more for highways and business districts than residential neighborhoods. They should be replaced with lights that are attractive, distinctive, and lower-level.

**Improved Parks.** Work should be done on the two parks on both sides of the freeway west of 26th Street to make them attractive and useable. The removal of some benches (frequented by vagrants) from the northern park in July on the initiative of some 26th Street residents has already made an improvement. But more needs to be done, including blocking off the area under the freeway to the parks. Currently these areas provide concealment and shelter to vagrants and potential criminals and discourage residents from using the 26th Street underpass.

**26th and L Safety.** Vehicles currently coming up from the E Street expressway ramp to the 26th and L Street intersection pose a real danger to pedestrians. Pedestrian walkways should be clearly marked at this corner and a stop sign or at least a yield sign installed. □

## FOGGY BOTTOM/WEST END COMMUNITY Advisory Committee on the Whitehurst Freeway

### Co-Chairpersons:

Holsey G. Handyside  
Vice President, FBA

Maria Tyler,  
ANC Commissioner:  
Chairperson, ANC  
Transportation Committee

### Members:

Kenneth Carroll  
2424 Pennsylvania Avenue

Dr. Morris J. Chalick  
2450 Virginia Avenue

Howard Feldman  
922 24th Street

Beth Marcus  
1001 26th Street

Orhan Ozdamir  
1121 24th Street

Richard Price  
2555 Pennsylvania Avenue

Barbara Searle  
940-950 25th Street

Sarah Shapiro  
2020 F Street

### Ex Officio Members:

Robert C. Brewster, President  
Foggy Bottom Association

Geoffrey Stamm  
Chairperson, ANC2A

## USEFUL PHONE NUMBERS

Abandoned Vehicles	673-6993	Motor Vehicle Temporary Plates	727-5518
Air Pollution	767-7370	Parking Enforcement	727-9208
Animal Control	576-6665	Parking Regulations	727-9208
Dead Animal Pick-up	727-4825	Parking Resident Permit	727-5409
Wash Animal Rescue L.	726-2556	Parking Tickets	727-5000
Board of Elections	727-2534	Police Emergency - Crime in progress	911
Booted Vehicles	727-5000	Police - To report a crime that has happened but is not in progress	727-4326
Cong. Delegate Fauntroy	275-0171	FBA Neighborhood Watch	337-5022
Consumer Hotline	727-7080	Police - Second District	282-0070
Councilmember Wilson's Office	724-8058	Police - Second District	282-0050
Dog Tags		Community Relations	767-8527
New	727-7089	Pothole Repair	
Renewal	727-7085	Recreation - Public Information	673-7660
Driver's License	727-6680	Sidewalk Repair	767-8527
Driver's Hearings	727-6761	Street Cleaning	727-4823
Driver's Road Test	727-6580	Streetlight Repair (Day)	727-5631
Fire Department - Non-Emergency	462-1762	Streetlight Repair (Night)	833-7500
Fire Emergency	911	Taxicab Information and Complaints	727-5401
Food Inspection	727-7251	Towed Vehicle	727-5000
Garbage Removal	727-4825	Traffic Sign Repair	727-5756
Health Inspection	727-7250	Traffic Signals	727-5876
Historic Preservation	727-7360	Trash Removal	727-4825
Housing Code Violations	727-7709	Tree Maintenance	767-8532
Impounded Vehicles	727-5000	Water & Sewage Bills	727-5240
Leaf Collection	727-4825	Water & Sewage Emergency	673-6600
Litter Control	727-4825	Water Meter Reading	727-5240
Lot & Square Information	727-7050		
Mayor Barry's Office	727-6319		
Motor Vehicle Info	727-6680		
Motor Vehicle Insurance	727-5986		
Motor Vehicle Registration	727-6680		

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## Crimewatch

by Bob Alcorn

Welcome back after a long, hot, summer. As usual, we will recap some of the trends which occurred over the last months so that you can be aware of things which may interest you.

Many of you have reported seeing the new Neighborhood Watch signs throughout the area. Some of you have even asked at this late date how to get signs for your individual blocks. Remember, either Maria Tyler or I have a model form which has to be filled in, block-by-block, with names of people willing to serve, and sent to Marty Clark at the Police Station. There is no other way. . . you have to cooperate with us in the matter so that it becomes a kind of joint venture. Both of us are available at ANC and Foggy Bottom meetings so let us know how we can help you.

This summer our people have been good at reporting crimes, alerting police to suspicious persons, etc. Thank you all for your help. However, you have been very lax in

many other ways which has probably contributed to the crime you have been busily reporting. You are still leaving things in cars parked on the street which are a direct lure to the thief. I cannot say that it is only the tourist because a number of them have been from cars belonging to local residents. The latest was in the 2500 block of I Street during the early hours of September 2. You are still locking your windows and leaving your back and patio doors open which is the best invitation possible and those of you who live in apartment houses are still opening the doors to strangers. Several buildings in the area had robberies in laundry and storage rooms throughout the summer and several others reported strange people roaming the halls. Ladies . . . you are still leaving your handbags lying loosely next to an open car window while you drive through town. That's dangerous. We had a theft through an open car window at a red light at 24th and Pennsylvania just recently.

You have been very good at reporting burned out security lights but lax in reporting burned out alley lights just next to them. You have also been very good with regard to the handling of your purses while walking through the streets of town but then you hang it on the back of your chair at a restaurant. What a good temptation for a thief.

In general, while there have been crimes throughout the Bottom, people have become more aware of its existence and have been quick to report it to the police and one of the crime watch people. Also, Marty Clark is pleased that people think enough to call her to ask for information. It gives her more visible coverage and at the same time gives her a chance to speak to local residents.

Keep up the good work now, add your block to our Watch program and help us fight crime. You are the most important link. See you at the Foggy Bottom and ANC meetings?

## St. Stephen's Seeks Voices

The Church of St. Stephen, Martyr, 2436 Pennsylvania Ave., N.W., has openings for additional voices in all sections of the mixed adult choir. People of all faiths who like to sing good choral music are welcome to join. In addition, a boys' choir is being formed, and the organist-choirmaster, John Conner, is recruiting musically talented boys age 8 and up for the choir. Repertoire of both groups will include Gregorian chant, Renaissance motets, Baroque music, and English cathedral music.

Rehearsals for adults are Wednesday evenings, 7:30-9:30 p.m. The choir sings at 11:00 a.m. on Sundays. Rehearsal time for the boys will be after school hours, times to be arranged.

Conner holds the B. Mus. degree from Catholic University and the M. Mus. degree from the University of Southern California, and the Choirmaster diploma of the American Guild of Organists. He has appeared extensively as an organ recitalist and formerly was organist-choirmaster of St.

Mary's Cathedral, Ogdensburg, N.Y., Christ Church, Williamsport, Penn., and the Parish of St. Michael and All Angels, Corona del Mar, California. He has had extensive experience training boys' voices.

Boys will be trained in the English choral tradition according to the Royal School of Church Music training program. In addition to vocal skills, they will be taught fundamentals of music including note reading, sight singing and ear training. The parish is offering this program to boys of any faith, grades 3-7. No previous musical training is required, although prospective choristers should be able to sing a simple melody in tune.

Older boys with changed voices (alto, tenor, and bass) and previous musical training are also invited to join the choir.

Those interested in the choirs should phone the Choirmaster at St. Stephen's Church, 785-0982, to make an appointment for an interview.

## Marty Clark Honored

Officer Martine (Marty) Clark has received from the White House a special copy of the President's 1985 Neighborhood Watch Day Proclamation signed by President Reagan. This is in recognition for all the valuable service and time Marty has spent in helping set up Neighborhood Crime Watch in Foggy Bottom and West End. She has spent much of her time trying to alert our residents to ways that they can help themselves fight crime and crime methods. We are very pleased that she has had some form of recognition for her service to us . . . especially from one of our "better known residents."

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## Continued from page 1

\* \* \*

The demolition permit application was considered by the Review Board and, on November 13, 1984, it recommended that the demolition permit not be granted because the buildings are designated landmarks of the National Capital and, therefore, demolition would be inconsistent with the purposes of the Act as set forth in Section 2(b).

\* \* \*

On January 7 and 11, 1985 the Mayor's Agent conducted a public hearing on the application. During the course of the hearings twelve (12) witnesses were heard and nine (9) exhibits were admitted into evidence.

\* \* \*

On behalf of Applicant, Joseph Donnelly testified that he had represented Applicant in transactions regarding the Cooper Houses. He testified that after learning that the Cooper Houses were subject to landmark designation, he considered uses alternative to demolition. He stated that he considered investing nominal costs to fix up the buildings and concluded that that would not make economic sense.

\* \* \*

Applicant's architectural consultant testified that he considered alternative uses for the subject properties from an architectural and structural standpoint. He stated that he considered, among others, residential use, use as a chancery, and as a clinic. He concluded that the buildings' location and size were not suitable for a chancery. He also stated that demolition of parts of the rear of the building and new rear construction would be infeasible because of the need for side yard, court parking, and/or lot occupancy variances, which would have to be sought from the Board of Zoning Adjustment. [He] surmised that Applicant would realize less than 50% of the permitted FAR from a rear addition.

The applicant's Real Estate Appraiser testified that he conducted economic feasibility studies of the properties after performing two personal inspections of each property . . . His study consisted of ten tests of nine different uses of the properties retaining the front portions and one for razing the buildings notwithstanding the historic landmark designation. He found that, using conservative soft cost estimates, no alternative was economically feasible.

\* \* \*

Steve Levy of ANC2A stated that in 1981, the ANC and Foggy Bottom Association (FBA) contracted with Emily Eig, architectural historian, Traceries, to study the Foggy Bottom area to determine which areas were worth pursuing as historic designations. The witness testified that the study was completed in 1982 and the recommendations were published in the *Foggy Bottom News* and distributed in an

area coterminous with ANC 2A. The study recommended pursuing the designation of an historic district, encompassing Squares 14 and 15. He stated that while the research was in progress, the house at the northwest corner of Square 15 was acquired and demolished, impairing the concept of an historic district. Mr. Levy testified that he suggested that the League submit applications for the designation of the Cooper Houses. Further, he stated that after the applications were submitted, representatives of the ANC and FBA met with Mr. Cooper, who requested that the applications be withdrawn. Mr. Levy stated that the meeting took place after January 21, 1984, when the sales contract for the purchase of the Cooper Houses had already become binding on Applicant. He testified that the ANC and FBA offered to submit the issue of landmark designation to binding arbitration by the American Arbitration Association, under which the application would be withdrawn if the ANC and FBA lost at arbitration. If they won at arbitration, according to Mr. Levy, they could proceed with the applications, but Mr. Cooper would still have had the right to oppose the applications. He stated that before arbitration began, the groups were contacted by Mr. Cooper, who informed them that he had a buyer for the properties and arbitration would not be necessary. Mr. Levy testified that he learned sometime after January 1, 1984 that Mr. Cooper was trying to sell the properties, but he did not know who the buyer was.

Mr. Levy testified that the ANC has negotiated with property owners in other similar situations. He gave four specific examples of instances in which the ANC reached agreements with property owners to preserve the historic portions of a building while the ANC supported the owner's use of the side yard, court, parking, or other variances. He also stated that there had been instances where the ANC agreed to changes after an historic designation was made.

Kim Hoagland of the D.C. Preservation League said it took the position that the matter of landmark designation of the Cooper Houses should be submitted to arbitration. She testified that when the application was signed she did not know Mr. Cooper was negotiating to sell the properties, nor did she know of plans to demolish the properties. Ms. Hoagland stated that there were instances in which the League negotiated with a property owner to save portions of a landmark.

[The Applicant] has [not] approached the League with proposals involving variances for the subject properties. She stated that the League is prepared to consider such proposals, and that the League would support adding on to the existing buildings and demolishing some portions of the rear in order to save the buildings, if the construction is sensitively designed. The policy of the League, according to the witness, is to notify the owner that a landmark ap-

plication has been filed after the application is accepted by the Historic Preservation Office. The owner was not contacted before the application was submitted because "[w]e were afraid that the owner would demolish the building, as it was unprotected."

## Findings of Fact

The Mayor's Agent finds that the applicant has not proven that no reasonable economic use exists. Applicant's architectural consultant has testified that the buildings are suitable as single-family residences. The landmark designation has not deprived the owner of the economic use which existed at the time the properties were purchased. Further, Applicant has not fully considered either partial demolition and rear additions or other uses which would not require the complete demolition of the properties. Although it is aware of the possibility that variances for such adaptive reuses may be granted by the Board of Zoning Adjustments, Applicant has not pursued such options.

\* \* \*

In order to meet the burden of proving unreasonable economic hardship, the Applicant must demonstrate that denial of the demolition permit will preclude it from reasonable use of its property or return on its investment. Based upon the above Findings of Fact the Mayor's Agent concludes that the Applicant has failed to prove (1) that it cannot use the Cooper Houses; (2) that the Cooper Houses are not suitable as single-family dwellings; and (3) that it could not rehabilitate the Cooper Houses and obtain a reasonable return on its investment. As the Applicant has not proven that there are not other reasonable alternatives to the one chosen, the Applicant has not demonstrated that unless he can take his proposed action, the Cooper Houses will be subject to a taking without just compensation. The Applicant has not proven that there is no reasonable use left in the property that would preclude such compensation.

Therefore, the Mayor's Agent cannot conclude that denial of a demolition permit for the Cooper Houses will result in unreasonable economic hardship of the owner. In the alternative, the Mayor's Agent concludes that the issue of unreasonable economic hardship, which is equated with a taking, is not ripe for consideration since the Applicant has not sought approval for all uses that would enable it to derive economic benefit from the subject property.

\* \* \*

The Mayor's Agent finds that demolition of the Cooper Houses is not consistent with the purposes of the Act, since the Act encourages the adaptive use and/or restoration of historic landmarks. Applicant failed to adequately pursue rear constructions, such as the four-story structure at the rear of the buildings which was considered briefly by Applicant's architectural consultant.

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